

Meryl Macklin (CA State Bar No. 115053)
HOLME ROBERTS & OWEN LLP
One Maritime Plaza, Suite 2400A
San Francisco, CA 94111-3404
Telephone: (415) 268-2000
Facsimile: (415) 268-1999
Attorneys for Plaintiff
Metallurgica GmbH & Co. KG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

METALLURGICA GmbH & Co. KG
Appellant ,

v.

NATIONAL REFRACTORIES & MINERALS
CORPORATION
Appellee.

CASE NO. C 05-01038

STIPULATION TO EXTEND TIME TO FILE
APPELLANT'S BRIEF
AND ORDER THEREON

Appellant METALLURGICA GmbH & Co. KG. ("Metallurgica") and Appellee
NATIONAL REFRACTORIES & MINERALS CORPORATION (National") (collectively, the
"Parties"), by and through their respective counsel of record, hereby move this Court pursuant to
Northern District Civil Local Rules 6-1(b), 6-1 and 7-12 for an order extending the time for
Appellant to file Appellant's Brief, which was due on June 3, 2005.

WHEREAS, the Parties have settled and now need time to complete the
documentation of the settlement and to apply for Bankruptcy Court approval;

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1 THEREFORE, the Parties agree and stipulate, subject to approval by the Court, that
2 Metallurgica's Appellant's brief shall be due on August 2, 2005, Appellee's brief shall be due on
3 August 22, 2005, and Appellant's reply brief shall be due on September 1, 2005.
4

5 Dated: June 7, 2005

HOLME ROBERTS & OWEN LLP

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7 By: _____ /s/

8 Meryl Macklin

9 Attorneys for Appellant
10 METALLURGICA GMBH & CO. KG.
11

12 Dated: June ___, 2005

GOLDBERG, STINNETT, MEYERS & DAVIS

13
14 By: _____ /s/

15 Miriam Khatiblou

16 Attorneys for Appellee
17 NATIONAL REFRACTORIES & MINERALS
18 CORPORATION
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20 SO ORDERED.

21 June 8__, 2005.
22

23 /s/ Maxine M. Chesney

24 _____
25 Honorable Maxine M. Chesney
26 Judge, U.S. District Court
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